

**Security Council**

Distr.: General
29 October 2009

Resolution 1893 (2009)

**Adopted by the Security Council at its 6209th meeting, on
29 October 2009**

The Security Council,

Recalling its previous resolutions and the statements of its President relating to the situation in Côte d'Ivoire, in particular resolutions 1842 (2008) and 1880 (2009),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Taking note of the report of the Secretary-General dated 29 September 2009 (S. 2009/495) and of the reports of the United Nations Group of Experts on Côte d'Ivoire dated 8 April 2009 (S. 2009/188) and 9 October 2009 (S. 2009/521),

Emphasizing the continued contribution to Côte d'Ivoire's stability, in particular in the context of the planned presidential elections, of the measures imposed by resolutions 1572 (2004) and 1643 (2005),

Noting again with concern, in spite of the sustained improvement of the overall human rights situation, the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including numerous acts of sexual violence, *stressing* that the perpetrators must be brought to justice, *reiterating* its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, and *recalling* its resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women, peace and security, its resolutions 1612 (2005) and 1882 (2009) on children and armed conflict and its resolution 1674 (2006) on the protection of civilians in armed conflicts,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 31 October 2010 the measures on arms and the financial and travel measures imposed by paragraphs 7 to 12 of resolution 1572 (2004) and the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire imposed by paragraph 6 of resolution 1643 (2005);



2. *Decides* to review the measures renewed in paragraph 1 above in light of the progress achieved in the electoral process and in the implementation of the key steps of the peace process, as referred to in resolution 1880 (2009), by the end of the period mentioned in paragraph 1, and *decides further* to carry out during the period mentioned in paragraph 1 above:

(a) A review of the measures renewed in paragraph 1 above no later than three months after the holding of open, free, fair and transparent presidential elections in accordance with international standards, with a view to possibly modifying the sanctions regime; or

(b) A midterm review no later than 30 April 2010 if no review has been scheduled on the basis of paragraph 2 (a) of this resolution at that date;

3. *Calls upon* the Ivorian parties to the Ouagadougou Political Agreement and all States, in particular those in the subregion, to fully implement the measures renewed in paragraph 1 above, including as appropriate by taking the necessary rules and regulations and *calls also upon* the United Nations Operation in Côte d'Ivoire (UNOCI) to bring its full support in particular to the implementation of the measures on arms renewed in paragraph 1, within its capacities and mandate, as determined in resolution 1739 (2007) and renewed in resolution 1880 (2009) and *calls upon* further the French forces to support UNOCI in this regard, within the limits of their deployment and their capabilities;

4. *Reiterates* again its demand in particular that the Ivorian authorities take the necessary measures to put an immediate end to any violation of measures imposed by paragraph 11 of resolution 1572 (2004) including those violations mentioned by the Group of Experts in its reports dated 21 September 2007 (S/2007/611), 15 October 2008 (S/2008/598) and 9 October 2009 (S/2009/521);

5. *Demands* that the Ivorian parties to the Ouagadougou Political Agreement, in particular the Ivorian authorities, provide unhindered access particularly to the Group of Experts firstly established pursuant to paragraph 7 of resolution 1584 (2004), to equipment, sites and installations referred to in paragraph 2 (a) of resolution 1584 (2005), and to all weapons, ammunition and related materiel, regardless of location, when appropriate without notice and including those under the control of Republican Guard units, and *demands further* that they provide access under the same conditions to UNOCI in order to carry out its mandate and to the French forces which support it, as set out in its resolutions 1739 (2007) and 1880 (2009);

6. *Reiterates* that any threat to the electoral process in Côte d'Ivoire, in particular any attack or obstruction of the action of the Independent Electoral Commission in charge of the organization of the elections or the action of the operators mentioned in paragraphs 1.3.3 and 2.1.1 of the Ouagadougou Political Agreement shall constitute a threat to the peace and national reconciliation process for the purposes of paragraphs 9 and 11 of resolution 1572 (2004);

7. *Reiterates* that any serious obstacle to the freedom of movement of UNOCI or the French forces which support it, or any attack or obstruction of the action of UNOCI, the French forces, the Special Representative of the Secretary-General, the Facilitator mentioned in paragraph 23 of resolution 1880 (2009) or his Special Representative in Côte d'Ivoire shall constitute a threat to the peace and national reconciliation process for the purposes of paragraphs 9 and 11 of resolution 1572 (2004);

8. *Requests* the Secretary-General and the French Government to report to it immediately, through the Committee, any serious obstacle to the freedom of movement of UNOCI or the French forces which support it, including the names of those responsible, and requests also the Secretary-General and the Facilitator to report to it immediately, through the Committee, any attack or obstruction of their action or the action of the Special Representatives mentioned in paragraph 7 above;

9. *Requests* all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and *authorizes* the Committee to request whatever further information it may consider necessary;

10. *Decides* to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 31 October 2010 and *requests* the Secretary-General to take the necessary administrative measures;

11. *Decides* that the report referred to in paragraph 7 (e) of resolution 1727 (2006) may include, as appropriate, any information and recommendations relevant to the Committee's possible additional designation of the individuals and entities described in paragraphs 9 and 11 of resolution 1572 (2004);

12. *Requests* the Group of Experts to provide a midterm report to the Committee by 15 April 2010 and to submit a final written report to the Security Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in this regard and *requests further* the Group of Experts to include in its report specific information on persons who deny it access to weapons, ammunition and related materiel;

13. *Requests* the Secretary-General to communicate as appropriate to the Security Council, through the Committee, information gathered by UNOCI and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

14. *Requests* also the French Government to communicate as appropriate to the Security Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

15. *Requests* also the Kimberley Process to communicate as appropriate to the Security Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire;

16. *Decides* that, the measures imposed by paragraph 6 of resolution 1643 (2005) shall not apply to an import that will be used solely for the purposes of scientific research and analysis to facilitate the development of specific technical information concerning Ivorian diamond production, provided the research is coordinated by the Kimberley Process, and approved on a case by case basis by the Committee;

17. *Decides* that a request made in accordance with paragraph 16 shall be submitted to the Committee jointly by the Kimberley Process and the importing Member State, and *decides further* that where the Committee has approved an exemption pursuant to this paragraph, the importing Member State shall notify the

Committee of the results of the study and share the results, without delay, with the Group of Experts on Côte d'Ivoire to assist them in their investigations;

18. *Urges* all States, relevant United Nations bodies and other organizations and interested parties, including the Kimberley Process, to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005) and reiterated in paragraph 1 above;

19. *Urges* further in this context that all Ivorian parties and all States, particularly those in the region, ensure:

- the safety of the members of the Group of Experts;
- unhindered access by the Group of Experts, in particular to persons, documents and sites in order for the Group of Experts to execute its mandate;

20. *Underlines* that it is fully prepared to impose targeted measures against persons to be designated by the Committee who are determined to be, among other things:

(a) A threat to the peace and national reconciliation process in Côte d'Ivoire, in particular by blocking the implementation of the peace process as referred to in the Ouagadougou Political Agreement;

(b) Attacking or obstructing the action of UNOCI, of the French forces which support it, of the Special Representative of the Secretary-General, of the Facilitator, of his Special Representative in Côte d'Ivoire;

(c) Responsible for obstacles to the freedom of movement of UNOCI and of the French forces which support it;

(d) Responsible for serious violations of human rights and international humanitarian law committed in Côte d'Ivoire;

(e) Inciting publicly hatred and violence;

(f) Acting in violation of the measures imposed by paragraph 7 of resolution 1572 (2004);

21. *Decides* to remain actively seized of the matter.

**Security Council**Distr.: General
11 November 2009

Resolution 1894 (2009)**Adopted by the Security Council at its 6216th meeting, on
11 November 2009***The Security Council,*

Reaffirming its commitment to the continuing and full implementation, in a mutually-reinforcing manner, of resolutions 1265 (1999), 1296 (2000), 1325 (2000), 1612 (2005), 1674 (2006), 1738 (2006), 1820 (2008), 1882 (2009), 1888 (2009) and 1889 (2009), and all relevant statements of its President,

Reaffirming its commitment to the Purposes of the Charter of the United Nations as set out in Article 1 (1-4) of the Charter, and to the Principles of the Charter as set out in Article 2 (1-7) of the Charter, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and respect for the sovereignty of all States,

Noting that this year marks the tenth anniversary of the progressive consideration by the Security Council of the protection of civilians in armed conflict as a thematic issue; and *acknowledging* the enduring need for the Security Council and Member States to strengthen further the protection of civilians in armed conflict,

Noting further that this year also marks the 60th anniversary of the Geneva Conventions of 1949, which together with their Additional Protocols constitute the basis for the legal framework for the protection of civilians in armed conflict,

Recognizing that States bear the primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory as provided for by relevant international law,

Reaffirming that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of civilians,

Reaffirming the relevant provisions of the 2005 World Summit Outcome Document regarding the protection of civilians in armed conflict, including paragraphs 138 and 139 thereof regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity,

Reiterating its deep regret that civilians continue to account for the vast majority of casualties in situations of armed conflict,

Stressing the particular impact that armed conflict has on women and children, including as refugees and internally displaced persons, as well as on other civilians



who may have specific vulnerabilities including persons with disabilities and older persons, and *stressing* the protection and assistance needs of all affected civilian populations.

Noting the adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (2009),

Noting with grave concern the severity and prevalence of constraints on humanitarian access, as well as the frequency and gravity of attacks against humanitarian personnel and objects and the significant implications of such attacks for humanitarian operations,

Recognizing the need for States in or emerging from armed conflict to restore or build accountable security institutions and independent national judicial systems,

Recalling the inclusion of war crimes, crimes against humanity and genocide in the statutes of the ad hoc international criminal tribunals and the Rome Statute of the International Criminal Court, and *emphasizing* in this regard the principle of complementarity,

Recognizing the importance of reparations programmes in response to serious violations of international humanitarian law and gross human rights violations,

Recognizing the importance of empowering vulnerable civilians through education and training as a means to support efforts to halt and prevent abuses committed against civilians in situations of armed conflict,

Recognizing the valuable contribution to the protection of children in armed conflict by the SRSG on Children and Armed Conflict and the Security Council Working Group on Children and Armed Conflict, including its conclusions and recommendations issued in line with resolution 1612 (2005), and *recalling* resolution 1882 (2009), which aims to strengthen the protection of children in situations of armed conflict,

Recalling its decision in resolution 1888 (2009) to address violence against women and children in situations of armed conflict by requesting the Secretary-General to appoint a special representative and to identify and take the appropriate measures to deploy rapidly a team of experts to situations of particular concern with respect to sexual violence in armed conflict,

Noting the practice of briefings to Security Council members by the Office for the Coordination of Humanitarian Affairs on behalf of the United Nations' humanitarian community, both through formal and informal channels,

Taking note of the report of the Secretary-General on the protection of civilians of 29 May 2009 (S/2009/277) and its annex on constraints on humanitarian access, which identify the core challenges to the effective protection of civilians, namely enhancing compliance with international law; enhancing compliance by non-State armed groups with their obligations under international law; enhancing protection through more effective and better resourced United Nations peacekeeping and other relevant missions; enhancing humanitarian access; and enhancing accountability for violations,

Welcoming the proposals, conclusions and recommendations on the protection of civilians included in the report of the Special Committee on Peacekeeping Operations and its Working Group (A/63/19) and the important work conducted by

the Security Council Working Group on Peacekeeping Operations, including its efforts aimed at enhancing the implementation of protection mandates.

Recalling the statement of its President of 5 August 2009 (S/PRST/2009/24) and *welcoming* ongoing efforts to strengthen UN peacekeeping,

Noting that United Nations peacekeeping missions constitute one of several means at the United Nations' disposal to protect civilians in situations of armed conflict,

1. *Demands* that parties to armed conflict comply strictly with the obligations applicable to them under international humanitarian, human rights and refugee law, as well as to implement all relevant decisions of the Security Council and in this regard, *urges* them to take all required measures to respect and protect the civilian population and meet its basic needs;

2. *Reiterates* its condemnation in the strongest terms of attacks in situations of armed conflict directed against civilians as such and other protected persons or objects as well as indiscriminate or disproportionate attacks and the utilisation of the presence of civilians to render certain points, areas or military forces immune from military operations, as flagrant violations of international humanitarian law and demands that all parties immediately put an end to such practices;

3. *Notes* that the deliberate targeting of civilians as such and other protected persons, and the commission of systematic, flagrant and widespread violations of applicable international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security, and *reaffirms in this regard* its readiness to consider such situations and, where necessary, to adopt appropriate steps;

4. *Reiterates* its willingness to respond to situations of armed conflict where civilians are being targeted or humanitarian assistance to civilians is being deliberately obstructed, including through the consideration of appropriate measures at the Security Council's disposal in accordance with the Charter of the United Nations;

5. *Reiterates* its call on States that have not already done so to consider signing, ratifying or acceding to the relevant instruments of international humanitarian, human rights and refugee law, and to take appropriate legislative, judicial and administrative measures to implement their obligations under these instruments;

6. *Demands* that all States and parties to armed conflict fully implement all relevant decisions of the Security Council and in this regard cooperate fully with United Nations peacekeeping missions and Country Teams in the follow-up and implementation of these resolutions;

7. *Calls upon* all parties concerned,

(a) to ensure the widest possible dissemination of information about international humanitarian, human rights and refugee law;

(b) to provide training for public officials, members of armed forces and armed groups, personnel associated to armed forces, civilian police and law enforcement personnel, and members of the judicial and legal professions; and to raise awareness among civil society and the civilian population on relevant

international humanitarian, human rights and refugee law, as well as on the protection, special needs and human rights of women and children in conflict situations, to achieve full and effective compliance;

(c) to ensure that orders and instructions issued to armed forces and other relevant actors are in compliance with applicable international law, and that they are observed, *inter alia*, by establishing effective disciplinary procedures, central to which must be the strict adherence to the principle of command responsibility to support compliance with international humanitarian law;

(d) to seek, where appropriate, support from United Nations peacekeeping and other relevant missions, as well as United Nations Country Teams and the International Committee of the Red Cross and, where appropriate, other members of the International Red Cross and Red Crescent Movement, on training and awareness raising on international humanitarian, human rights and refugee law;

8. *Emphasizes* the importance of addressing in its country specific deliberations the compliance of parties to armed conflict with international humanitarian, human rights and refugee law; *notes* the range of existing methods used, on a case by case basis, for gathering information on alleged violations of applicable international law relating to the protection of civilians and *underlines* the importance in this regard of receiving information that is timely, objective, accurate and reliable;

9. *Considers* the possibility, to this end, of using the International Fact-Finding Commission established by Article 90 of the First Additional Protocol to the Geneva Conventions;

10. *Affirms* its strong opposition to impunity for serious violations of international humanitarian law and human rights law and *emphasizes* in this context the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation;

11. *Recalls* that accountability for such serious crimes must be ensured by taking measures at the national level, and by enhancing international cooperation in support of national mechanisms, *draws attention* to the full range of justice and reconciliation mechanisms to be considered, including national, international and "mixed" criminal courts and tribunals, and truth and reconciliation commissions, as well as national reparation programs for victims and institutional reforms; and *underlines* the Security Council's role in ending impunity;

12. *Reaffirms* the Security Council's role in promoting an environment that is conducive to the facilitation of humanitarian access to those in need;

13. *Stresses* the importance for all, within the framework of humanitarian assistance, of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence;

14. *Stresses* the importance for all parties to armed conflict to cooperate with humanitarian personnel in order to allow and facilitate access to civilian populations affected by armed conflict;

15. *Expresses* its intention to:

(a) Call on parties to armed conflict to comply with the obligations applicable to them under international humanitarian law to take all required steps to protect civilians and to facilitate the rapid and unimpeded passage of relief consignments, equipment and personnel;

(b) Mandate UN peacekeeping and other relevant missions, where appropriate, to assist in creating conditions conducive to safe, timely and unimpeded humanitarian assistance;

16. *Further expresses* its intention to:

(a) Consistently condemn and call for the immediate cessation of all acts of violence and other forms of intimidation deliberately directed against humanitarian personnel;

(b) Call on parties to armed conflict to comply with the obligations applicable to them under international humanitarian law to respect and protect humanitarian personnel and consignments used for humanitarian relief operations;

(c) Take appropriate steps in response to deliberate attacks against humanitarian personnel;

17. *Invites* the Secretary-General to continue the systematic monitoring and analysis of constraints on humanitarian access, to include as appropriate observations and recommendations in his briefings and country-specific reports to the Council;

18. *Recalls* its determination to upgrade the strategic oversight of peacekeeping operations mindful of the important role peacekeeping operations play for the protection of civilians and *reaffirms* its support to the efforts made by the Secretary-General to review peacekeeping operations and to provide enhanced planning and support and *renews* its encouragement to deepen these efforts, in partnership with troop and police contributing countries and other relevant stakeholders;

19. *Reaffirms* its practice of ensuring that mandates of UN peacekeeping and other relevant missions include, where appropriate and on a case-by-case basis, provisions regarding the protection of civilians, *stresses* that mandated protection activities must be given priority in decisions about the use of available capacity and resources, including information and intelligence resources, in the implementation of mandates; and *recognizes*, that the protection of civilians when and as mandated requires a coordinated response from all relevant mission components;

20. *Reaffirms also* the importance of entrusting peacekeeping and other relevant missions that are tasked with the protection of civilians with clear, credible and achievable mandates, based on accurate and reliable information on the situation on the ground, and a realistic assessment of threats against civilians and missions, made in consultation with all relevant stakeholders, and *further reaffirms* the importance of a greater awareness in the Security Council of the resource and field support implications of its decisions and *stresses* the necessity to ensure the execution of the afore-mentioned mandates to protect civilians in the field;

21. *Recognizes* the necessity to take into account the protection needs of civilians in situations of armed conflict, in particular women and children, in the

early phase of mandate drafting and throughout the lifecycle of United Nations peacekeeping and other relevant missions and in this regard *underlines* the importance of engagement with the countries concerned and of close consultation with the Secretariat, troop and police contributing countries, and other relevant actors;

22. *Recognizes also* the need for comprehensive operational guidance on peacekeeping missions' tasks and responsibilities in the implementation of protection of civilians mandates and *requests* the Secretary-General to develop in close consultation with Member States including troop and police contributing countries and other relevant actors, an operational concept for the protection of civilians, and to report back on progress made;

23. *Requests* the Secretary-General, in consultation with relevant actors, to ensure that peacekeeping missions with protection of civilians' mandates, in keeping with the strategic plans that guide their deployment, conduct mission-wide planning, pre-deployment training, and senior leadership training on the protection of civilians and requests troop and police contributing countries to ensure the provision of appropriate training of their personnel participating in UN peacekeeping and other relevant missions to heighten the awareness and responsiveness to protection concerns, including training on HIV/AIDS and zero tolerance of sexual exploitation and abuse in UN peacekeeping missions;

24. *Requests* the Secretary-General to ensure that all relevant peacekeeping missions with protection mandates incorporate comprehensive protection strategies into the overall mission implementation plans and contingency plans which include assessments of potential threats and options for crisis response and risk mitigation and establish priorities, actions and clear roles and responsibilities under the leadership and coordination of the SRSG with the full involvement of all relevant actors and in consultation with United Nations Country teams;

25. *Requests* the Secretary-General to ensure that United Nations missions provide local communities with adequate information with regard to the role of the mission and in this regard ensure coordination between a United Nations mission and relevant humanitarian agencies;

26. *Takes note* of practical measures taken by ongoing peacekeeping missions and United Nations Country Teams to enhance the protection of civilians in the field, and *requests* the Secretary-General to include best practice in his next report on protection of civilians to the Council;

27. *Reaffirms* its practice of requiring benchmarks, as and where appropriate, to measure and review progress made in the implementation of peacekeeping mandates and *stresses* the importance of including indicators of progress regarding the protection of civilians in such benchmarks for relevant missions;

28. *Emphasizes* the need for a comprehensive approach to facilitate the implementation of protection mandates through promoting economic growth, good governance, democracy, the rule of law, and respect for, and protection of human rights, and in this regard, *urges* the cooperation of Member States and *underlines* the importance of a coherent, comprehensive and coordinated approach by the principal organs of the United Nations, cooperating with one another and within their respective mandates;

29. *Notes* that the excessive accumulation and destabilizing effect of small arms and light weapons pose a considerable impediment to the provision of humanitarian assistance and have a potential to exacerbate and prolong conflicts, endanger civilians and undermine security and the confidence required for a return to peace and stability, *calls on* parties to armed conflict to take all feasible precautions to protect the civilian population, including children, from the effects of landmines and other explosive remnants of war, and in this regard, *encourages* the international community to support country efforts in clearing landmines and other explosive remnants of war and to provide assistance for the care, rehabilitation and economic and social reintegration of victims, including persons with disabilities;

30. *Reiterates* the importance of the Aide Memoire on the protection of civilians (S/PRST/2009) as a practical tool that provides a basis for improved analysis and diagnosis of key protection issues, particularly during deliberations on peacekeeping mandates and *stresses* the need to implement the approaches set out therein on a more regular and consistent basis, taking into account the particular circumstances of each conflict situation;

31. *Recognizes* the important role of the Secretary-General in providing timely information to the Security Council on protection of civilians in armed conflict in particular through thematic and country specific reports and through briefings;

32. *Requests* the Secretary-General to include in his reports to the Council on country-specific situations more comprehensive and detailed information relating to the protection of civilians in armed conflict, including on protection-related incidents and actions taken by parties to armed conflict to implement their obligations to respect and protect the civilian population, including information specific to the protection needs of refugees, internally displaced persons, women, children and other vulnerable groups;

33. *Requests* the Secretary-General to develop guidance for UN peacekeeping and other relevant missions on the reporting on the protection of civilians in armed conflict with a view to streamlining reporting and enhancing the Council's monitoring and oversight of the implementation of protection mandates of UN peacekeeping and other missions;

34. *Stresses* the importance of consultation and cooperation between the United Nations, the International Committee of the Red Cross and other relevant organisations including regional organisations to improve the protection of civilians in armed conflict;

35. *Requests* the Secretary-General to submit his next report on the protection of civilians in armed conflict by November 2010;

36. *Decides* to remain seized of the matter.

**Security Council**Distr.: General
18 November 2009

Resolution 1895 (2009)**Adopted by the Security Council at its 6220th meeting, on
18 November 2009***The Security Council,*

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and relevant statements of its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004, 1639 (2005) of 21 November 2005, 1722 (2006) of 21 November 2006, 1764 (2007) of 29 June 2007, 1785 (2007) of 21 November 2007, 1845 (2008) of 20 November 2008 and 1869 (2009) of 25 March 2009,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the High Representative's continued role in Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex), as well as the relevant decisions of the Peace Implementation Council (PIC),

Recalling all the agreements concerning the status of forces referred to in Appendix B to Annex I-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Further recalling the provisions of its resolution 1551 (2004) concerning the provisional application of the status of forces agreements contained in Appendix B to Annex I-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (EUFOR), the Senior Military Representative and personnel of the NATO Headquarters Sarajevo, the Organization for Security and Cooperation in Europe (OSCE), the European Union (EU) and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,



Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the Ministerial meetings of the Peace Implementation Conference,

Recognizing that full implementation of the Peace Agreement is not yet complete, while paying tribute to the achievements of the authorities at State and entity level in Bosnia and Herzegovina and of the international community in the fourteen years since the signing of the Peace Agreement,

Emphasizing the importance of Bosnia and Herzegovina's progress towards Euro-Atlantic integration on the basis of the Peace Agreement, while recognizing the importance of Bosnia and Herzegovina's transition to a functional, reform-oriented, modern and democratic European country,

Noting the reports of the High Representative, including his latest report of 12 November 2009 (S/2009/588),

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994 and the statement of its President on 10 February 2000 (S/PRST/2000/4),

Welcoming and *encouraging* efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the conclusions of EU Foreign Ministers and Ministers of Defence at their joint meeting on 18 May 2009, which welcomed the positive contribution of EUFOR to the safe and secure environment in Bosnia and Herzegovina, and added that EUFOR continued to provide reassurance and remained ready to respond to possible security challenges throughout the country, and the conclusions of EU Foreign Ministers and Ministers of Defence at their joint meeting on 17 November 2009,

Recalling the letters between the European Union and NATO sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina in which both organizations recognize that the EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement (S/2004/916; S/2004/915),

Further recalling the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for EUFOR and the NATO Headquarters presence (S/2004/917),

Welcoming the European Union's increased engagement in Bosnia and Herzegovina and the continued engagement of NATO,

Reiterating once again its calls on the authorities in Bosnia and Herzegovina to implement in full their undertakings as also confirmed by the PIC Steering Board declaration of 30 June 2009, and recognizing in particular the need to find a solution on State and Defence Property,

Welcoming the progress achieved by Bosnia and Herzegovina on some European Partnership priorities, towards implementing the Interim Agreement and towards fulfilling the visa liberalization roadmap requirements and calling on the authorities in Bosnia and Herzegovina to strengthen and step up their efforts to complete the urgent reforms highlighted by the European Commission in its 14 October Progress Report to implement the European Partnership and to prepare to meet obligations under the Interim Agreement and in due course the Stabilization and Association Agreement,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* once again its support for the Peace Agreement, as well as for the Dayton Paris Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995 (S/1995/1021, annex) and calls upon the parties to comply strictly with their obligations under those Agreements;

2. *Retterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Former Yugoslavia, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State, able to integrate itself into the European structures and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the International Tribunal includes, inter alia, the surrender for trial or apprehension of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. *Emphasizes* its full support for the continued role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that under Annex 10 of the Peace Agreement the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;

5. *Expresses* its support for the declarations of the Ministerial meetings of the Peace Implementation Conference;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

7. *Recalls* the support of the authorities of Bosnia and Herzegovina for EUFOR and the continued NATO presence and their confirmation that both are the legal successors to SFOR for the fulfilment of their missions for the purposes of the Peace Agreement, its Annexes and Appendices and relevant United Nations Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with Annexes 1-A and 2 of the Peace Agreement and relevant United Nations Security Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force (EUFOR), and in the continued NATO presence, established in accordance with its resolution 1575 (2004) and extended with its resolutions 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008), and welcomes their willingness to assist the Parties to the Peace Agreement by continuing to deploy a multinational stabilization force (EUFOR) and by maintaining a continued NATO presence;

9. *Welcomes* the EU's intention to maintain an EU military operation to Bosnia and Herzegovina from November 2009;

10. *Authorizes* the Member States acting through or in cooperation with the EU to establish for a further period of 12 months, starting from the date of the adoption of this resolution, a multinational stabilization force (EUFOR) as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with the NATO Headquarters presence in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of NATO to continue to maintain a presence in Bosnia and Herzegovina in the form of a NATO Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with EUFOR and authorizes the Member States acting through or in cooperation with NATO to continue to maintain a NATO Headquarters as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with EUFOR in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Reaffirms* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both EUFOR and the NATO presence as they have applied to and in respect of SFOR and that therefore references in the Peace Agreement, in particular in Annex 1-A and its appendices,

and relevant resolutions to IFOR and/or SFOR, NATO and the NAC shall be read as applying, as appropriate, to the NATO presence, EUFOR, the European Union and the Political and Security Committee and Council of the European Union respectively.

13. *Expresses* its intention to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with Annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for the compliance with that Annex and shall be equally subject to such enforcement action by EUFOR and the NATO presence as may be necessary to ensure implementation of those Annexes and the protection of EUFOR and the NATO presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either EUFOR or the NATO Headquarters, in defence of the EUFOR or NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both EUFOR and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with Annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of EUFOR, the NATO presence, and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the EU and the Member States acting through or in cooperation with NATO to report to the Council on the activity of EUFOR and NATO Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates* its appreciation for the deployment by the EU of its Police Mission (EUPM) to Bosnia and Herzegovina since 1 January 2003;

21. *Also requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with Annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996 (S/1996/1012), and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

22. *Decides* to remain seized of the matter.